

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**MITRA RAZAVI and ASHLEY
LEIGH** §
Plaintiffs §
V. §
§
FRANKLIN APARTMENT §
MANAGEMENT, d/b/a, THE §
LANDING AT STONE OAK, SWBC §
PROFESSIONAL EMPLOYER §
SERVICES and INTEGRATED §
SENIOR LIFESTYLES §
Defendants §

Civil Action No. 5:21-cv-01093

**DEFENDANTS FRANKLIN APARTMENT MANAGEMENT AND
INTEGRATED SENIOR LIFESTYLES' JOINT NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§1331, 1441(a, c) and 1446, Defendants Franklin Apartment Management d/b/a The Landing at Stone Oak (“Franklin”) and Integrated Senior Lifestyles (“Integrated” and, together with Franklin, “Defendants”), by and through the undersigned counsel, file this Joint Notice of Removal, removing this action brought by Plaintiffs Mitra Razavi and Ashley Leigh (collectively “Plaintiffs”) from the 407th Judicial District Court of Bexar County, Texas, where this action is currently pending, to this Court on the basis of federal question jurisdiction and state the following grounds for removal:

I. DESCRIPTION OF ACTION

1. On October 5, 2021, Plaintiffs filed a civil action entitled *Mitra Razavi and Ashley Leigh vs. Franklin Apartment Management, d/b/a, The Landig [sic] at Stone Oak, SWBC Professional Employer Services and Integrated Senior Lifestyles* in the 407th Judicial District Court in Bexar County, Texas bearing Cause No. 2021CI21126 (the “Petition” or the “State Court Action”). On or about October 12, 2021, Defendant Franklin was served with the Petition, and a copy of the Petition was delivered to Integrated. In

the State Court Action, Plaintiffs assert claims under 42 U.S.C. Section 1981 and Chapter 451 of the Texas Labor Code. See Exhibit 1 attached hereto (Original Petition).

II. FEDERAL QUESTION JURISDICTION

2. Pursuant to 28 U.S.C. §1331, the United States district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws or treaties of the United States.

3. The Petition alleges a cause of action under the laws of the United States, a violation of 42 U.S.C. Section 1981.

III. PROCEDURAL REQUIREMENTS

4. Defendants satisfy the procedural requirements of removal.

5. Pursuant to 28 U.S.C. §1441(a), venue is proper in this Court, as it is the district and division embracing the place where the State Court Action is pending.

6. Pursuant to 28 U.S.C. §1446(a), a copy of all process, pleadings and orders served in the State Court Action are attached hereto as Exhibit 2.

7. Pursuant to 28 U.S.C. §1446(b)(1), this Joint Notice of Removal is timely because it is filed within thirty days of Defendants' receipt of a copy of the initial pleadings.

8. Pursuant to 28 U.S.C. §1446(d), a copy of this Joint Notice of Removal will be served upon Plaintiffs' Counsel and a copy filed with the Clerk of Court for the 407th Judicial District Court.

9. Moreover, Defendants will serve the known representatives for the remaining defendant with this Joint Notice of Removal.

10. By removing this case to federal district court, Defendants in no way waive any available defenses nor do they admit any of Plaintiffs' allegations in the State Court Action.

IV. CONCLUSION

11. Removal to this Court is proper because, as set forth above, this Court has original jurisdiction over Plaintiffs' claims based on federal question jurisdiction, and Defendants have satisfied the procedural requirements for removal.

WHEREFORE, Defendants jointly and respectfully give notice of and remove this action to this Court.

Respectfully submitted,

/s/ Tiffanie S. Clausewitz

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**ATTORNEY/DEFENDANT INTEGRATED
SENIOR LIFESTYLES**

CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2021, I electronically filed a true and correct copy of this document using the Court's Electronic Case Filing System ("ECF"), pursuant to the Western District of Texas Local Rules. Notes of the filing were served by operation of the Court's ECF, e-mail, and/or regular U.S. mail, postage pre-paid, on the following counsel of record:

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/s/ Tiffanie S. Clausewitz